

NOTICE OF REGULAR CITY COUNCIL MEETING

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN REGULAR SESSION OPEN TO THE PUBLIC AS FOLLOWS:

DATE: Tuesday, October 18, 2016

TIME: 7:00 p.m.

PLACE: Rosenberg City Hall
City Hall Council Chamber
2110 4th Street
Rosenberg, Texas 77471

PURPOSE: Regular City Council Meeting, agenda as follows:

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Call to order: City Hall Council Chamber

Invocation and Pledge of Allegiance. (Reverend Frankie Rodriguez, Living Stones Church, Rosenberg)

Announcements.

GENERAL COMMENTS FROM THE AUDIENCE.

Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.

Citizens who desire to address the City Council with regard to matters on the Consent Agenda or Regular Agenda will be received at the time the item is considered. Each speaker is limited to three (3) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

CONSENT AGENDA

1. Review of Consent Agenda.

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

- A. Consideration of and action on minutes of the Regular Meeting on September 06, 2016, the Regular Meeting on September 20, 2016, and the Workshop Meeting on September 27, 2016. (Linda Cernosek, City Secretary)
- B. Consideration of and action on Resolution No. R-2232, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Houston-Galveston Area Council (H-GAC) General Provisions Intergovernmental Agreement, by and between the City and H-GAC for participation in a Regional DWI Task Force from October 01, 2016, to September 30, 2017. (Tracie Dunn, Assistant Chief of Police)

- C. Consideration of action on Resolution No. R-2233, a Resolution approving and adopting a Hotel Occupancy Tax (HOT) Policy; and, regarding other matters related thereto. (Jeremy Heath, Assistant Economic Development Director)
- D. Consideration of and action on a Final Plat of Hwy 36 Plaza, a subdivision of 3.3090 acres or 144,141 sq. ft. situated in the G.M. Stone 1/3 League, Abstract No. 312, City of Rosenberg, Fort Bend County, Texas; 2 reserves and 1 block. (Ian Knox, Planning Administrator)
- E. Consideration of and action on a Final Plat of Summer Lakes Section Five Partial Replat Number One, being a subdivision of 0.4837 of one acre out of the W. M. Lusk Survey, A-276, in the City of Rosenberg, in Fort Bend County, Texas. Also being a partial replat of Lots 1 and 2, Block 3, Summer Lakes Section Five, recorded at Plat No. 20130221 (Fort Bend County Municipal Utility District No. 144); 2 lots, 1 block and 1 reserve. (Ian Knox, Planning Administrator)
- F. Consideration of and action on Resolution No. R-2234, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a First Amendment to the Development Agreement by and between the City and Dry Creek (Houston) ASLI VII, LLC, a Delaware Limited Liability Company, in association with Fort Bend County Municipal Utility District No. 184 (Stonecreek Estates). (Ian Knox, Planning Administrator)
- G. Consideration of and action on Ordinance No. 2016-32, an Ordinance amending the Code of Ordinances by amending Section 6-30 of Article II of Chapter 6 thereof providing for the adoption of the 2015 International Energy Conservation Code; providing a penalty; providing for severability; and providing an effective date. (Tonya Palmer, Building Official)
- H. Consideration of and action on Ordinance No. 2016-33, an Ordinance amending the Code of Ordinances by deleting Sections 29-246 through 29-260 of Division 2 of Article V of Chapter 29 thereof entitled "Reserved"; and, by adding a new Division 3 to Article V of Chapter 29 thereof entitled "Refunding of Existing and Future Indebtedness of Special Utility Districts"; establishing requirements regarding same; providing for severability; and providing for an effective date. (Joyce Vasut, Executive Director of Administrative Services)

REGULAR AGENDA

- 2. Consideration of and action on the proposed cancellation of the November 22, 2016, and December 27, 2016 City Council Workshop Meetings. (Linda Cernosek, City Secretary)
- 3. Consideration of and action on Resolution No. R-2239, a Resolution authorizing acceptance of the Rosenberg Police Department's Grant Award from the U.S. Department of Justice Community Oriented Policing Services (COPS) Grant Program in the amount of \$500,000.00; and, authorizing the Interim City Manager to execute any and all necessary documentation regarding same. (Tracie Dunn, Assistant Chief of Police)
- 4. Consideration of an action on Resolution No. R-2230, a Resolution awarding a bid for the purchase of one (1) loader/backhoe; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, any necessary agreements and/or documents to facilitate said purchase. (Rigo Calzoncin, Director of Public Works)
- 5. Consideration of and action on Resolution No. R-2231, a Resolution awarding a bid for the purchase of a six (6) to eight (8) yard dump truck; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, any necessary agreements and/or documents to facilitate said purchase. (Rigo Calzoncin, Director of Public Works)

6. Consideration of and action on Resolution No. R-2236, a Resolution authorizing the Mayor to execute, for and on behalf of the City, an Interim Wastewater Treatment Services Agreement, by and between the City and Fort Bend County Municipal Utility District No. 184 (Stonecreek Estates). (John Maresh, Interim City Manager)
7. Consideration of and action on Ordinance No. 2016-35, an Ordinance authorizing the issuance of City of Rosenberg, Texas, General Obligation Refunding Bonds, Series 2016, in one or more series; authorizing a pricing officer to approve the amount, the interest rates, price, redemption provisions and terms thereof and certain other procedures and provisions related thereto; and containing other matters related thereto. (Joyce Vasut, Executive Director of Administrative Services)
8. Hold Executive Session to consult with City Attorney to seek or receive advice on legal matters regarding pending or contemplated litigation regarding pending condemnation matters related to Bryan/Spacek Road Expansion Project pursuant to Section 551.071 of the Texas Government Code; and, to deliberate the potential purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072.
9. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
10. Adjournment.

DATED AND POSTED this the 14th day of October 2016, at 11:00 a.m.,

by Cynthia Sullivan.



Linda Cernosek
Attest:
Linda Cernosek, TRMC, City Secretary

John Maresh
Approved for Posting:
John Maresh, Interim City Manager

Cynthia A. McConathy
Approved:
Cynthia A. McConathy, Mayor

Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.

Executive Sessions: The City Council may retire to executive session in accordance with the Texas Government Code, any time between the meeting's opening and adjournment for the purposes of:

- consultation with legal counsel (Section 551.071);
- deliberation regarding real property (Section 551.072);
- deliberation regarding economic development negotiations (Section 551.087);
- deliberation regarding the deployment or specific occasions for implementation of security personnel or devices (Section 551.076)

Attendance by other elected or appointed officials: It is anticipated that members of other city boards, commissions or committees whose meetings may be governed by the Texas Open Meetings Act may attend this meeting in numbers that may constitute a quorum of the other city boards, commissions or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible quorum/meeting of the other boards, commissions or committees of the City, whose members may be in attendance. The members may speak as recognized by the presiding officer, but no action may be taken by any board, commission or committee unless such item is specifically provided for on an agenda designated for that board, commission or committee and posted in compliance with the Texas Open Meetings Act.

This Agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering the available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.